

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">see Form PCT/ISA/220</div>		<div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Date of mailing (day/month/year)</div>
Applicant's or agent's file reference see Form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/DE2004/001621	International filing date (day/month/year) 07/22/2004	Priority date (day/month/year) 11/21/2003
International Patent Classification (IPC) or both national classification and IPC B60R16/02, HO4L 12/40		
Applicant ROBERT BOSCH GMBH		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ European Patent Office	Authorized officer P. Brachmann
Facsimile No.	Telephone No.

E 1322953846

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

10/580388
APG Rec'd PCT/PTO 22 MAY 2006
International application No.

PCT/DE2004/001621

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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International application No.
PCT/DE2004/001621

Box No. II Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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International application No.
PCT/DE2004/001621

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	1,2,6,10	NO
Inventive step (IS)	Claims	_____	YES
	Claims	1,2,6,10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims	_____	NO

2. Citations and explanations:

see Appended Sheet

Written Opinion of the Inter-
national Searching Authority

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Appended Sheet

The following documents are referred to:

D1: XP 002261302, 10/05/2000,

D2: US 5,822,707, 10/13/1998.

Re Point V.2.

V.2.1.1. Independent Claim 1

Novelty:

Document D1 discloses:

A connecting element for measuring in a vehicle seat (see Figures 4 and 5), the connecting element having connecting means to a single-wire bus (LIN bus, Figure 4) and bus communications means.

The subject matter of Claim 1 differs from document D1, which is regarded as the most proximate related art, only in that the measurement is a weight measurement.

Therefore, the present application meets the criterion indicated in Article 33 (2) PCT, because the subject matter of the claim is novel in view of the determined related art.

Inventive Activity:

The object to be attained by the present invention may consequently be seen in further developing the known bus in such a way that as many as possible suitable bus participants are connected to this cost-effective bus.

The missing feature is a measure customary in the art, in the field of triggering air bags, since the weight of the person located in the seat is an essential parameter for an optimal air bag triggering in a known way to one skilled in the art. Document D2, mark 200, is only named as an example.

The above analysis seems to apply also to the subject matter of Claim 9. Therefore, the subject matter of Claim 1 is not based on an inventive activity (Article 33(3) PCT).

V.2.1.2. Claims 2, 6 and 10, Dependent on Claims 1 and 9

The above-named dependent claims, which have as their subject matter further refinements of the present invention according to Claims 1 and 9, likewise do not comply with the requirements of the PCT, since the features of these claims - at least viewed alone - seem to be known from the documents named with them; therefore, they include no essential features which could in any way substantiate an inventive activity:

- Claims 2 and 6: an obvious technical measure for one skilled in the art,
- Claim 10: to one skilled in the art, the subject matter of Claim 10 is purely a design matter.

Further Shortcoming(s):

In order to satisfy the requirements of Rule 6.3 b) PCT, independent Claim 1 should have been drafted in two-part form; according to that rule, those features, which in connection

with one another belong to the most proximate related art (see e.g. document D1), are to be taken up in the generic part of the claim (re this point, also see Chapter V. of the Office Action).

In order to satisfy the requirements of Rule 5.1 (a) (ii) PCT, document D1 should have been cited in the Specification; the relevant related art contained therein should have been outlined briefly.

In order to satisfy the requirements of Rule 5.1 a) (ii) PCT, a brief reference to the claims should preferably have been taken up in the specification ("The object is attained by the features of Claim....."). Advantageous further developments of the present invention are indicated in the dependent claims.

General Comments Concerning the International Application and Suggestions for the Further Proceedings

The features specified directly in dependent Claim 5, in their present version, cannot be inferred from any of the documents cited in the Search Report. If the Applicant is convinced that by taking up these features into Claim 1 (see also Claim 7) a claim version is created which satisfies the criteria named in Article 33 (1) PCT, a new independent claim should be formulated that includes these features. In this context, one should consider that the features known in connection with each other from D1 should be taken up into the generic part of such a claim, so that it complies with this Rule 6.3(b) PCT.